C-482 No. 84 Of 2005

Hon'ble B.C. Kandpal, J.

Heard Sri Amrish Tiwari learned counsel for the applicant and perused the record.

By way of this petition, the petitioner has challenged the chargesheet submitted against him u/s 302 I.P.C.

Learned counsel for the petitioner has argued that the deceased died after a period of five months and this fact itself shows that his death was not caused on account of injuries allegedly caused by the applicant/petitioner.

I do not find any force in this argument advanced by the learned counsel for the applicant.

Whatever the contention is being raised by the applicant, the same is subject to the evidence to be adduced by the prosecution during the pendency of the trial.

At this stage, whatever the arguments is being advanced by the learned counsel for the applicant, he same is available at the stage of framing of chargesheet before the trial court.

The petition being devoid of any merit is liable to be dismissed.

The petition is accordingly dismissed.

(B.C. Kandpal, J.)

Dt. : 19.02.2005

Shiv